

## **FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET**

**Meeting Date:** October 16, 2014

**Agenda Item:** Commercial Use Administrative Rules

**Division:** Fisheries and Wildlife

**Action Needed:** Proposed

**Time Needed on Agenda for this Presentation:** 5 minutes

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### **Background**

In August the F&W Commission, in conjunction with the Parks and Recreation Board, adopted amendments to the Commercial Use Administrative Rules for all FWP land, including fishing access sites, wildlife management areas, and state parks. The Department is recommending an additional rule amendment to allow a guide to collect fees from clients when conducted permitted use on behalf of a permitted outfitter. This practice is currently prohibited under the commercial use rules.

### **Public Involvement Process & Results**

If the Commission and the board propose amendments to the commercial use administrative rules, FWP would solicit comments. The Commission and the board will make a final decision after the public comment process.

### **Alternatives and Analysis**

If the Commission and board do not propose this amendment guides will not be able to collect fees on FWP land.

### **Agency Recommendation & Rationale**

FWP recommends that the Commission and the board propose the amendment to the commercial use rules that would allow a guide to collect fees from clients on FWP land while conducting authorized services on behalf of a permitted outfitter as long as the form of payment names the permitted outfitter as the recipient of the fees. The original rule language prohibiting this practice was intended to help prevent a guide from conducting illegal outfitting. FWP recognizes that allowing guides to collect fees from clients is a convenience to the outfitter and the clients who may not physically be in contact with each other.

### **Proposed Motion**

I move the Commission propose the amendment to the commercial use administrative rules as presented by the Department.